

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*<sup>1</sup>,  
Debtors.

GEORGE MILLER, Chapter 7 Trustee of the  
bankruptcy estates of Akorn Holding Company  
LLC, *et al.*,

Plaintiffs,

vs.

MCKESSON CORPORATION; MCKESSON  
SPECIALTY CARE DISTRIBUTION LLC;  
and MCKESSON MEDICAL-SURGICAL,  
INC.,

Defendants.

Chapter 7

Case No. 23-10253 (KBO)

(Jointly Administered)

Adv. Proc. No. 24-50042 (KBO)

**ORDER**

Upon consideration of the Motion to Dismiss counts five (5) and six (6) of the Complaint by George Miller in his capacity as Chapter 7 Trustee of the bankruptcy estates of Akorn Holding Company LLC, *et al.*, and any responses thereto, it is hereby ORDERED that counts five (5) and six (6) of the Complaint are dismissed with prejudice.

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<sup>1</sup> The Debtors in these Chapter 7 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123) and Akorn Operating Company LLC (6184). The Debtors' headquarters was located at 5605 CenterPoint Court, Gurnee, Illinois 60031.

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Dated: \_\_\_\_\_